



PATENT APPLICATION NO. 10/815,459  
ATTORNEY DOCKET NO. 21910.NP

## DECLARATION AND PETITION

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled DEVICE AND METHOD FOR LAYERED MEMORY OBJECTS, the specification of which is attached hereto, or which was filed on March 31, 2004 as THORPE NORTH & WESTERN, LLP Docket No. 21910.NP, and given United States Application No. 10/815,459, that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit of the earlier filed patent applications filed in the United States Patent and Trademark Office as application no. 10/469,679 filed on May 9, 2003 and application no. 60/459,041 filed on March 31, 2003; and, insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

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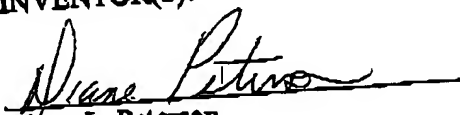
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Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, and this petition.

Signed at Wentz (City), Texas (State), this 10 day of

August, 2004.

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